



Dean Boland &lt;deanboland@gmail.com&gt;

## Evidence destruction relevant to Ceglia case.

1 message

Dean Boland &lt;dean@bolandlegal.com&gt;

Wed, Nov 23, 2011 at 4:52 PM

To: LSimpson@orrick.com

Cc: Oren Snyder &lt;osnyder@gibsondunn.com&gt;, Alexander Southwell &lt;asouthwell@gibsondunn.com&gt;, Paul Argentieri &lt;paul.argentieri@gmail.com&gt;

Ms. Simpson:

As counsel for Mr. Zuckerberg and Facebook in the Ceglia case, you are aware of your duty to preserve discoverable evidence for Mr. Ceglia's case. Your firm is also counsel for Facebook and Zuckerberg in the ConnectU case out of the District Court of Massachusetts.

It has come to my attention that there are at least five computers associated with Defendant Zuckerberg copies of which are being held by Parmet and Associates in Potomac Maryland. Those computers along with others, are referenced for your convenience in the attached order from the ConnectU case. It is further my understanding that these computers contain evidence of electronic communications by your client, Mr. Zuckerberg, from the 2003-2004 period while he was a Harvard student. As you know, the existence and authenticity of emails and other electronic communications and evidence is an ongoing evidentiary matter in the Ceglia case.

I have also attached copies of emails from lawyers at your firm seeking to confirm destruction of those materials. Destruction of evidence relevant to the Ceglia case is, of course, a violation of the litigation hold duty that both parties and their counsel have in this case or any federal case.

As part of your responsibility to preserve evidence in this case, I am reminding you to take all steps necessary to preserve the evidence now in the possession of Parmet and Associates including the computers listed on the attached order from the ConnectU case. For your convenience, the contact information for the computer expert currently retaining this relevant and discoverable evidence is

Jeff Parmet and Associates LLC  
9920 Potomac Manors Drive  
Potomac, MD 20854

Phone: [301.765.9506](tel:301.765.9506)  
Facsimile: [240.465.4442](tel:240.465.4442)  
Email: [inquiries@jeffparmet.com](mailto:inquiries@jeffparmet.com)

These items will be the subject of a request for a temporary restraining order to be filed shortly in the Ceglia matter.

I believe it would a violation of your duty embedded in the litigation hold for your firm to urge anyone in any case to destroy evidence that is potentially relevant and discoverable in this case.

If you have any questions about this email, please call me at your earliest convenience. As of 4:37pm this evening, I have also left a message on your voicemail asking you to contact me about this urgent matter.

Dean Boland.

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Please note, I typically only review my emails once daily. If there is something urgent in any email, please do not hesitate to contact my office at [216-236-8080](tel:216-236-8080).

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